

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 16-16 (revised)

June 2, 2016

To: All Regional Directors, Officers-in-Charge,
and Resident Officers

From: Anne Purcell, Associate General Counsel

Subject: Dates for Hearings and Statement of Position Due Dates

As you know, the Board adopted a final rule that changes the procedures applicable to processing representation cases. One of the changes the Board made was to specify the date for scheduling a pre-election hearing in RC, RD, and RM cases. Section 102.63(a) provides that except in cases presenting unusually complex issues, the pre-election hearing in RC, RD and RM cases will be 8 days from the date of service of the Notice of Representation Hearing excluding intervening Federal holidays, but if the 8th day is a weekend or Federal holiday, the hearing is set for the following business day. Section 102.63(b) provides that the Statement of Position will be due at noon on the business day before the opening of the hearing if the hearing is set to open 8 days from service of the notice. The Regional Director may set the date and time for filing and serving the Statement of Position earlier than at noon on the business day before the hearing in the event the hearing is set to open more than 8 days from service of the notice.

To assist Regions and the parties in determining the dates of hearings and the due dates for Statements of Position, we have prepared the attached chart which sets forth the hearing dates and Statement of Position due dates for RC, RD and RM petitions filed from **May 2, 2016 through April 28, 2017** that do not present unusually complex issues. The calculation of the due date is from the date the Notice of Representation is served, which in some instances will be later than the date the petition was filed.

If you have any questions about this memorandum, please contact your AGC or Deputy.

/s/
A. P.

cc: NLRBU